



United States Department of the Interior



BUREAU OF INDIAN AFFAIRS
LAGUNA AGENCY
P.O. BOX 1448
LAGUNA, NEW MEXICO 87026

IN REPLY REFER TO
Superintendent

Confidential Claim Retracted

NOV 18 1983

Authorized by: SK

Date: 9/35/13

Memorandum

To: Area Director

From: Superintendent, Laguna Agency

Subject: Study of Blasting Damage

Attached for transmittal to the Assistant Secretary is a letter to him from Governor Edwin Martinez of the Pueblo of Laguna. The letter regards the concerns of the Pueblo with respect to the damages to the homes and structures in the Village of Paguate as a result of blasting by the Anaconda Company during the years of its operation of the Jackpile/Paguate uranium mine.

As mentioned in the Governor's letter, it is the position of the Anaconda Company that the damages were not caused by its blasting activities. The Company has based its position on conclusions reached by its consultant, Mr. Louis Oriard. At a recent meeting, held in the Area Office, we were informed that the Bureau of Mines has reviewed Mr. Oriard's report and has also made a brief visit to the Village of Paguate to inspect the damaged structures. Further, we were advised that it is the position of the Bureau of Mines representative, Dr. Suskind, that the damages referred to previously were not caused by the blasting and that the Bureau of Mines concurs with the findings of the Anaconda Company's consultant.

Recently, Mr. Kenneth King, of the office of Earthquakes, Volcanos and Engineering, U.S.G.S., also visited Paguate and the mine area. Mr. King's preliminary observations appear to be contrary to those of the Bureau of Mines' and Anaconda's expert's. Mr. King did review Mr. Oriard's report and concluded that there was insufficient data to totally rule out the possibility that some of the damage to the homes and structures in the Village may be related to Anaconda's mining operations; furthermore, that new techniques and methods had been developed within the last five years, and that these techniques and methods should be used to examine the possible effects of mining upon the Village of Paguate.

It has been the contention of the Pueblo that the damage to the structures and homes in the Village of Paguate have been caused by Anaconda's operations. The residents of the Village are most adamant as to the cause of damage and are prepared to provide testimony of their personal experiences in feeling tremors at the time of or immediately following the blasts.



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The Anaconda Company, in a proposal made to the Pueblo earlier during this year, has offered to pay to the Pueblo, in a form which the Company has referred to as a good will gesture, the sum of \$300,000 for damage to the homes in Pagate. The Pueblo is requesting the assistance of the Bureau in determining the extent of damages to the homes and structures in the Village of Pagate, and an assessment of the cost of remedying the damages. With this kind of information, the Pueblo feels it can better respond to the offer made by the Anaconda Company. It should be noted that Mr. David Baldwin, Program Officer for the Division of Energy and Minerals, made the recommendation to the Director, Office of Trust Responsibilities, by a memorandum dated November 10, 1983, that the study recommended by Mr. King be authorized.

It is the request of the Pueblo that the study as recommended by Mr. King, of the USGS, be authorized and that funds for conduct of the study be made available through the Bureau of Indian Affairs. It is, further, the recommendation of the Pueblo, that this study be financed totally, or in part, by funds which we are aware have been made available to the Task Force for the purpose of carrying out studies and research in assisting the EIS Task Force in its development of reclamation alternatives.

A timely response to the Pueblo's request will be most appreciated.


Superintendent

Attachment

cc: Governor, POL -- Attn: Ron Solimon